

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ENTERPRISE BANK AND TRUST )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )                              Case No. 4:20-cv-00278  
                                )  
JOHN C. BOVAY, TRUSTEE OF THE )  
CONFEDERATE TRUST DATED     )  
MARCH 19, 2008, and JACKSON C. )  
MAY,                         )  
                                )  
Defendants.                 )

**MOTION FOR EXTENSION OF TIME TO SERVE DEFENDANT JACKSON MAY  
AND LEAVE TO SERVE BY ALTERNATIVE MEANS**

Plaintiff Enterprise Bank & Trust (“Enterprise Bank”) moves the Court for an order granting an extension of time to serve Defendant Jackson May (“May”) with the complaint and summons in the above-captioned litigation and for leave to serve May by alternative means—namely by certified mail. Enterprise Bank has gone to great lengths serve May only to have Mr. May evade service, both in person and through his attorneys, and, in the process, thwart the administration of justice. Thus, despite diligent efforts, Enterprise Bank has been unable to effect service on Mr. May to date.

For the reasons set forth in the accompanying Memorandum in Support, Enterprise Bank respectfully requests,

- (1) That the Court grant an extension of time under Federal Rule of Civil Procedure 4(m) for which to serve May up to and including August 1, 2020;
- (2) That the Court permit Enterprise to serve May utilizing an alternative service in the form of mailing the Summons by certified mail with return receipt requested to May at the following address: 2045 SW 63<sup>rd</sup> Ave Gainsville, FL 3260;

- (3) The Court award Enterprise its fees and costs incurred in serving May pursuant to Federal Rule of Civil Procedure 4(d)(2); and
- (4) All other relief the Court deems just in the premises.

Respectfully Submitted,

/s/ Peter L. Riggs

Nathan A. Orr  
Missouri Bar # 49836  
Peter L. Riggs  
Missouri Bar #57268  
Carly D. Duvall  
Missouri Bar # 61925  
Spencer Fane LLP  
1000 Walnut Street, Suite 1400  
Kansas City, MO 64106  
Telephone: 816-474-8100  
Facsimile: 816-474-3216  
[norr@spencerfane.com](mailto:norr@spencerfane.com)  
[priggs@spencerfane.com](mailto:priggs@spencerfane.com)  
[cduvall@spencerfane.com](mailto:cduvall@spencerfane.com)

Attorneys for Plaintiff Enterprise Bank & Trust

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9th day of June, 2020, I electronically filed the foregoing through the Court's CM/ECF system which will send notifications to all counsel of record. I further certify that a true and correct copy of the foregoing was sent via U.S. Mail as follows:

Mr. John C. Bovay  
2805 Forge Road  
Glasgow, VA 24555

John S. Winnie, Esq.  
Winnie & Winnie Attorneys, P.A.  
3011 SW 70<sup>th</sup> Lane  
Gainesville, FL 32608

Zachary Merkle  
600 Washington Avenue  
15th Floor  
St Louis, MO 63101

Jackson C. May  
2045 SW 63rd Ave.  
Gainesville, FL 32608

*/s/ Peter L. Riggs* \_\_\_\_\_  
Attorney for Plaintiff  
Enterprise Bank & Trust